

## PLANNING BOARD & PLANNING DEPARTMENT

Fiscal Year 2007

### INTRODUCTION

This report summarizes the numerous land use, planning, and zoning activities in which the Planning Board and Department engaged during fiscal year 2007.

### CURRENT PLANNING

As in previous years, development issues, permit applications, and preparation for the Master Plan occupied much of the time of the Board and Department during FY 07.

Table 1 provides a statistical review of the Department's activities, including the various permits it oversees, and zoning and other regulatory changes.

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**Table 1**

**Planning Board**  
**Land Use & Zoning Activity**

<b>A.</b>	<b><u>Review &amp; Action</u></b>	<b><u># of Applications</u></b>
1.	Planning Board Special Permits	2
2.	Form A (Approval Not Required) Subdivisions	26
3.	Cluster Subdivision	2
4.	Standard Subdivision	4
5.	Subdivision Lot Releases	6
6.	Subdivision/Site Plan Escrow Releases	0
7.	Street Name Changes	0
8.	Development Authorization Requests	2
9.	Site Plan Review Requests	8
10.	Sign Plans Approved	1
11.	Lighting Plans Approved	2
12.	Landscape Plans Approved	2
13.	Scenic Road Requests	2
14.	Ch. 61A Removal Requests	3
<b>B.</b>	<b><u>Review &amp; Recommendation</u></b>	
1.	Zoning Amendments	9
2.	Rules & Regulations Amendments	1
3.	Special Permits/Variations	43
4.	Street Acceptances	0
5.	Street Discontinuances	0

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Some of the more significant planning development proposals and issues of FY 07 included the following:

### **Commercial/Institutional**

- \* site alterations associated with a memorial garden for the First Congregational Church
- \* a significant expansion of Judie's Restaurant at 512 North Pleasant Street to include the area of an adjacent driveway and annexation of the former Barselotti's bar
- \* construction of an 800 sq. ft. addition on the medical office building, at 170 University Drive, owned by Cooley Dickinson Hospital
- \* expansion and improvement of Amherst College playing fields west of Pratt Field
- \* façade renovation and expansion of the Bank of Western Massachusetts branch at East Pleasant and Pray Streets
- \* extensive building façade renovations for the A.J. Hastings Newsdealers at 45 South Pleasant Street
- \* expansion and site alterations for the National Yiddish Book Center
- \* construction of a walk-up/drive-through bank kiosk structure to replace the burned Bank of America building at the corner of East Pleasant and Triangle Streets.

### **Residential**

- \* Site Plan Review (SPR) and definitive subdivision approval for the 8-unit Apple Brook cluster subdivision at 1184 West Street
- \* amendment (revision of lot lines) for the South Middle Street cluster subdivision
- \* application for Definitive approval for the 6-lot commercial Amherst Enterprise Park subdivision on Meadow Street
- \* Preliminary approval for an 8-lot West Street cluster subdivision at 1184 West Street
- \* Preliminary approval for a 10-lot Strawberry Field subdivision at 660-652 South East Street
- \* Preliminary approval for the North Amherst Business Park commercial subdivision on Meadow Street
- \* lot releases for home building in the Amherst Hills (Concord Road, Linden Ridge) and Palley Village subdivisions.

## **Zoning Issues**

- \* In response to a property owner's rezoning request and subsequent consideration of the surrounding area, to rezone properties on Main and High Streets. Referred back by Fall 2006 Special Town Meeting at Planning Board request.
- \* To amend and clarify regulations governing development in the Farmland Conservation (FC) overlay district. Referred back by Fall 2006 Special Town Meeting at Planning Board and Agricultural Commission request.
- \* To remove the vestigial Wetlands (WD) overlay district from the Zoning Bylaw and Map. Adopted by the Fall 2006 Special Town Meeting.
- \* Amending the language regulating farm stands to comply with changes in state law. Adopted by the 2007 Annual Town Meeting.
- \* To create zoning regulations for accessory farm stands (where none existed). Referred back to the Planning Board and Agricultural Commission by the 2007 Annual Town Meeting, at those bodies' request.
- \* To change the permit requirement for a surface water impoundment in the Flood Prone Conservancy (FPC) District from a Special Permit to Site Plan Review approval, thereby improving the legal viability of the overall zoning district. Adopted by the 2007 Annual Town Meeting.
- \* Responded to a citizen petition to alter the requirement for affordable housing units mandated under inclusionary zoning to apply only to units available to the lowest-income households and countable under the state Subsidized Housing Inventory (MGL Ch. 40B). Referred back to the Housing Partnership/Fair Housing Committee and Planning Board by the 2007 Annual Town Meeting.

## **MASTER/COMMUNITY PLANNING**

Efforts continued on a number of long-range planning issues, while new issues and projects also involved the time and attention of the Board and Department.

### **Master Plan**

See also the annual report of the Comprehensive Planning Committee.

Planning Board members and Planning Department staff assisted the Comprehensive Planning Committee (CPC) and the master planning consultant (ACP, Inc.) in organizing and carrying out the *Planning Amherst Together* public participation phase of the master planning process, including the initial drafting of goals, policies, objectives, and strategies by working groups. The *Planning Amherst Together* public participation process, which included a scientifically defensible survey, was highly successful. The process of turning the results of that public process into the usable and coherent elements of a master plan proved to be more of a challenge.

A decision by the Select Board to significantly increase the number of CPC members and change the composition of CPC membership during the middle of the *Planning Amherst Together* process – well after the contract had been signed with the master planning consultant and the public process was already underway – created some dislocation and delay. It also stripped the Planning Board representatives to the CPC of their status as voting members. Although these changes better assured an accurate representation of some specific elements of the range of community opinion, the timing and short-term impacts on the master planning process were unfortunate.

Additional, unplanned-for time had to be spent acquainting new members with the master planning process and bringing them up to speed. The new, significantly larger CPC required more time to conduct normal business and complete simple tasks. Time had to be spent resolving new conflicts and re-resolving old conflicts the previous CPC membership had successfully resolved and moved beyond. All of this consumed limited time available under the contract with the consultant, with the result that some hoped-for tasks and products – including projecting alternative futures for different areas of Amherst, looking more closely at the interaction of critical public interests in specific areas of Amherst, and developing detailed implementation approaches, etc. – could not be completed, or in some cases even attempted, and thus will not be included in the Master Plan. This work will have to be conducted separately, at additional cost, if only in staff and Town board/committee time and effort.

Following its expansion, the CPC lost ground and was thereafter consistently unable to meet its own deadlines in terms of providing information or products to the master planning consultant. While hard work by CPC members eventually developed a shared consensus, and important progress was made toward completion of the basic task of distilling community intentions and priorities identified in *Planning Amherst Together*, many opportunities to further develop and refine this work using the resources of the master planning consultant were lost.

Also, the community's political uncertainty and the unwillingness of some participants to accept or allow full professional participation by Amherst's Planning Department and other Town staff constrained the ways in which staff expertise and perspectives could support the planning process. Progress on draft goals, policies, objectives and strategies that might normally flow between Planning staff and the master planning consultant often had to be approved by the full CPC. As a consequence, the proposed master plan strategies developed by working groups could not be "ground-truthed" by the staff during strategy development – the strategies' legality, interaction with current and ongoing community activity, or other basic indices of viability could not be tested by the staff. For many master planning strategies, the process of "ground-truthing" will not occur until the very last stages of the Master Plan's development in FY 08.

Nonetheless, the *Planning Amherst Together* process – Amherst's community public participation process for its Master Plan – was highly successful in FY 07 and the expanded CPC worked very hard to achieve a successful working consensus founded on a shared priority for the overall community interest. At the end of FY 07, the CPC was making significant progress on the development of Amherst's master plan. The Planning Board eagerly anticipates receipt of a final draft in FY 08, so that the Board can complete the master planning process it set in motion nearly a decade ago, exercising its statutory responsibility to develop, review, and adopt a master plan for Amherst.

## **Community Development Block Grant (CDBG) Program**

During FY 07, the Planning Department continued to work with the Community Services Department and other Town departments, boards, and committees to develop and submit project proposals, and to prepare and review related potential projects.

The Planning Department also continued to manage CDBG housing rehabilitation loans from past CDBG projects, responding to requests to close out, subordinate, or amend such loans.

## **Downtown**

In FY 07, the Planning Department continued to be involved in numerous aspects of downtown revitalization, including parking, public open space, historical issues, and public projects.

Ludmilla Pavlova-Gilham continued to serve as the Planning Board's representative to the Design Review Board, which reviews most exterior changes in downtown buildings and sites. However, because of difficulties in finding new members, the DRB had to try to operate with only three (3) of its full complement of five (5) members throughout FY 07. This made full review of major downtown projects very difficult – including, for example, the proposed Bank of America kiosk at the corner of East Pleasant and Triangle Streets.

The multi-year streetscape redesign and reconstruction of downtown sidewalks continued. The Planning Department assisted the Department of Public Works with development of designs for new sidewalk improvements on the east side of North Pleasant Street between Main Street and Kellogg Avenue. The Department worked with the Tree Warden, Public Shade Tree Committee and others on downtown street tree issues and the development of designs for streetscape improvements in other areas.

## **Housing**

The Planning Department worked with the Housing Partnership/Fair Housing Committee (HP/FHC), Amherst Housing Authority (AHA), and the Community Preservation Act Committee to develop and pursue a number of projects to protect existing affordable housing units and provide for the creation of new affordable units. Pre-development analyses and examination of alternative approaches to affordable housing development at Olympia Drive continued in FY 07. Planning staff and the Planning Board's Zoning Subcommittee continued to research and further develop amendments to the Zoning Bylaw to encourage affordability in new residential development.

## **Historic Preservation**

Using the 2005 Amherst Preservation Plan, the Historical Commission worked with Planning Department staff to develop proposals for historic preservation projects using CPA funds. The 2007 Annual Town Meeting appropriated a total of \$101,100 in CPA funds for historic preservation projects.

The Historical Commission began an historic study of the East Village Common, as well as a study of the potential for expanding the East Village National Historic Register District, working with the Pioneer Valley Planning Commission's historic preservation planner, Bonnie Parsons.

In FY 07, among other projects, the Planning Department and Historical Commission were involved in completing efforts to preserve the 1815 brick Federal Kimball House at 575 North East Street.

See also the Historical Commission's annual report.

### **Atkins Corner**

During FY 07, the Planning Department continued to work with DPW on issues involved with redesign of the intersection and road system in this proposed new village center. One of the FY 07 CPA projects included funds for archeological study at the Bay Road/West Street intersection.

### **STAFF ASSISTANCE**

Planning Department staff provide professional support and technical assistance to numerous Town boards and committees, local and regional boards, as well as Amherst citizens, community groups, other communities, and others. The Town boards and committees directly served by the Planning Department in FY 07 included:

- ❖ Planning Board
- ❖ Zoning Subcommittee
- ❖ Design Review Board
- ❖ Zoning Board of Appeals
- ❖ Historical Commission
- ❖ Town/Commercial Relations Committee
- ❖ Comprehensive Planning Committee
- ❖ Redevelopment Authority
- ❖ Housing Partnership/Fair Housing Committee
- ❖ 250<sup>th</sup> Anniversary Committee (Arts & Literature Subcommittee, History Subcommittee, etc.)
- ❖ UMass/Hadley/Amherst economic development dialogue
- ❖ UMass Campus planning effort

Other committees or bodies for whom the Planning Department provides more occasional assistance include:

- ❖ Public Transportation Committee & Bicycle Subcommittee
- ❖ Disabilities Access Advisory Committee
- ❖ Public Art Commission
- ❖ Community Preservation Act Committee
- ❖ Public Shade Tree Committee
- ❖ Greater Franklin County Economic Development Strategy Committee
- ❖ Pioneer Valley Planning Commission
- ❖ Valley Development Council (PVPC-sponsored body)
- ❖ Summit Land Use Task Force
- ❖ Amherst Regional Chamber of Commerce

## **PLANNING BOARD**

During FY 07, new members Kathleen Anderson, Richard Howland, Susan Pynchon, Jonathan Shefftz, and Eduardo Suarez were appointed to the Board. Board members Rod Francis, Leandro Rivera, and Mary Scipioni resigned during the year. Member Carl Mailler declined to be reappointed after completing one 3-year term.

Planning Board members took advantage of training opportunities sponsored by the Citizen Planner Training Collaborative and training from Town Counsels Gary Brackett and Elaine Lucas.

At the end of the year, the Planning Board membership consisted of seven members: Aaron Hayden (Chair), Carl Mailler (Vice-Chair), Kathleen Anderson, Richard Howland, Susan Pynchon, Jonathan Shefftz, and Eduardo Suarez, with two vacancies.

## **PLANNING STAFF**

During FY 07, Planning Department Intern Cana McCoy left to take a position with the Boston Redevelopment Authority. In her stead was hired Nathaniel Malloy, a graduate student at the UMass Dept. of Landscape Architecture and Regional Planning. Mr. Malloy was immediately involved in many community planning projects, particularly the master planning process, and contributed significantly to the updating and computerization of permit applications and forms.

During FY 07, Planning Department personnel were involved in a wide variety of public outreach, including presentations to a number of community groups, and publication of *Planning Briefs*, the Department quarterly newsletter highlighting community planning projects, personnel, and issues of interest to the community.

Jonathan Tucker continued to serve as Planning Director during FY 07, completing his 22<sup>nd</sup> year with the Department. Associate Planner Christine Brestrup was hired internally to fill a vacant Senior Planner position – a well-deserved and long-overdue promotion. Other Planning Department staff included Senior Planner Niels la Cour, part-time Zoning Assistant Carolyn Holstein, and Management Assistant Sue Krzanowski, who completed her 19<sup>th</sup> year with the Planning Department. A vacant Associate Planner's position will be filled in FY 08.

*Aaron Hayden*  
Chair

*Jonathan Tucker*  
Planning Director